

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 3

January 23, 2006

SUBJECT: INVESTIGATIVE ACTION REPORTING - ESTABLISHED, STATEMENT FORM 3.11.20 - REVISED, AND FIELD NOTEBOOK DIVIDER - GENERAL REPORTING INSTRUCTIONS, FORM 18.30.0 - REVISED

PURPOSE: The Department has joined efforts with the Office of the Los Angeles City Attorney (CA) and the Office of the Los Angeles District Attorney (DA) to ensure all investigations are accurately documented. In doing so, sworn personnel who significantly contribute to an investigation are required to provide a written statement documenting their individual actions and observations to the primary officer assigned to document the investigation.

This Order revises the use and completion procedures associated with the Statement Form, Form 3.11.20, renames it to the Investigative Action/Statement Form, Form 3.11.20, and implements an officer's statement of investigative actions to be included as a page of the original report. Additionally, this Order revises the Field Notebook Divider - General Reporting Instructions, Form 18.30.0.

PROCEDURE:

I. STATEMENT FORM, FORM 3.11.20 - REVISED. The Statement Form, Form 3.11.20, is renamed "Investigative Action/Statement Form," and revised as follows:

- * A box to document the "Incident Number" has been added; and,
- * Specific boxes have been shaded and are to be used when documenting an officer's investigative actions.

A. Use of Form. The use of this form is revised to include statements by all sworn personnel to document their actions and observations related to an investigation.

B. Completion. The completion procedures of this form are revised as follows:

- 1. Investigative Action Statements.** When completing a statement of the officer's investigative actions, the officer shall complete only the shaded areas and the statement section of the form. The officer's statement shall be a detailed description

of the officer's actions and observations including the source of the call, the officer's **individual** actions, and the officer's **individual** observations. If additional space is needed, a Continuation Sheet, Form 15.09, shall be used.

- 2. Statements of Involved Persons.** This form is also used to document the statements of suspects, victims, witnesses, and other involved persons when the statement is lengthy or complex. This form shall be used when the individual being interviewed is asked to sign the statement, for statement documentation during murder investigations, or other investigations as deemed appropriate.

C. Distribution. Distribution of the Investigative Action/Statement Form, Form 3.11.20, is as follows:

Original - To be attached and numbered as a page of the original associated report.

Exception: Investigative Action/Statement Form, Form 3.11.20, used for the debriefing of suspects shall not contain a Division of Record (DR) number, or be numbered or attached as a page of the original report, and shall be forwarded directly to the investigative entity.

Copies - Distributed in accordance with established distribution requirements for the original associated report.

Total - To be determined in accordance with established distribution requirements for the original associated report.

Note: The above distribution is consistent with, and makes no changes to, Special Order No. 7, 2005 - (*DISTRIBUTION PROCEDURES FOR STATEMENT FORM, FORM 3.11.20 - REVISED*).

- II. FIELD NOTEBOOK DIVIDER - GENERAL REPORTING INSTRUCTIONS, FORM 18.30.0 - REVISED.** The Field Notebook Divider - General Reporting Instructions, Form 18.30.0, has been revised to address the changes provided within this Order.

III. INVESTIGATIVE ACTIONS - DEFINED. Investigative actions are those actions and observations taken by an individual officer during an investigation.

A. Sworn Personnel Responsibilities. Sworn personnel making separate significant contributions to an investigation (other than the primary officer) shall;

- * Document their actions and observations on an Investigative Action/Statement Form, Form 3.11.20; and,
- * Upon completion, provide the Investigative Action/Statement Form to the primary officer, to be included with and numbered as a page of the original report.

Note: If two partner officers are involved in a situation in which their individual actions/observations that are indistinguishable (e.g., same time, place, etc.), a single form is appropriate. If additional space is needed, a Continuation Sheet, Form 15.09, shall be used.

Exception: If the officer is not responsible for any significant portion of the investigation (i.e., the officer stood a perimeter guard post), no officer statement is needed. The at-scene supervisor shall have the final decision as to whether a responding officer, regardless of division of assignment, shall complete an Investigative Action/Statement Form.

B. Primary/Arresting Officer's Responsibilities. When documenting the statement of an officer's actions/observations, it is not necessary to re-write everything contained within the statement. Any information elemental to the crime and/or arrest shall be briefly paraphrased with a reference to the statement where the detailed information can be found. The officer completing the report shall ensure that all Investigative Action/Statement Forms are included with and numbered as a page of the original report.

Example: Officer Smith observed the handgun in the suspect's waistband (See statement of Officer Smith, page no. 3).

Officers are reminded that, at the time of arrest, arresting officers must have specific knowledge of all elements of the crime for which the suspect has been

arrested. Officers should be able to articulate that knowledge, including how and when it was obtained, and shall document it within the report narrative.

Note: Investigative Action/Statement Forms completed after distribution of the initial investigative report shall be attached to a Follow-Up Report, Form 3.14, and submitted to the concerned Records personnel for distribution to Records and Identification Division.

Exception: Debriefing of suspects for intelligence purposes (not related to the investigation) shall be documented on a separate Investigative Action/Statement Form, Form 3.11.20. The debriefing statement shall be forwarded to the concerned investigative division and shall not be included as a page of the original report.

IV. STATEMENT DOCUMENTATION. When documenting statements, either within the narrative of the associated report, on the Investigative Action/Statement Form, Form 3.11.20, or CHP Form 556 Supplemental Report, officers shall adhere to the following guidelines:

- A. Verbatim Statements.** Verbatim statements shall be written in the first person and should resemble the wording of the interviewed individual as closely as possible.
- B. Paraphrased Statements.** Paraphrased statements shall be written in the third person. The interviewing officer may specifically quote words or phrases within a paraphrased statement by enclosing the words or phrases with quotation marks.
- C. Additional Information.** Information not included elsewhere on the form should follow the statement narrative if not already covered in other areas of the report. This information may include, but not be limited to: LA, MAIN, CII Nos. (rap sheets may be attached), description of interviewee's vehicle, gang affiliation, the interviewee's connection with the case, etc. If additional space is needed, a Continuation Sheet, Form 15.09, shall be used.
- D. Signature of Person Providing Statement.** Investigating officers should, when appropriate, have the person (non-Departmental personnel) providing a statement sign and date the interview statement. The

following notation shall be included at the end of each statement prior to the signature:

"I have read my entire statement and to the best of my knowledge it is correct. I made this statement freely and voluntarily."

The officer shall have the person providing a statement initial before and after any corrections made to the text of the statement and at the end of the last sentence on each page used to record the statement.

FORMS AVAILABILITY: The Investigative Action/Statement Form, Form 3.11.20, and Field Notebook Divider - General Reporting Instructions, Form 18.30.0, will be available for ordering from the Distribution Center, General Services Division, in approximately 90 days. A copy of the revised forms are attached for local reproduction and use.

AMENDMENTS: This Order adds Sections 4/203.21 and 4/203.23, and amends Sections 5/3.11.20 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Detective Bureau, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON
Chief of Police

Attachments

DISTRIBUTION "A"